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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,684	10/11/2001	John S. Nantz	LEAR 0757 PUS (02826)	9440

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 04/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,684

Applicant(s)

NANTZ ET AL.

Examiner

Raymond S Dean

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 - 17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coash (4,684,853) in view of Anderson (5,367,537).

Regarding Claim 1, Coash teaches a transmitter circuit comprising: an oscillator circuit including a surface acoustic wave (SAW) resonator (Figure 1, Column 2 lines 37 – 42), the oscillator circuit generating a carrier signal (Column 5 lines 10 – 26, the modulated frequency is the carrier frequency); and a carrier signal modulated with the data signal (Column 5 lines 10 – 26).

Coash does not specifically teach an amplifier circuit receiving the carrier signal and receiving a data signal, the amplifier circuit generating an output signal.

Anderson teaches an amplifier circuit receiving the carrier signal and receiving a data signal (Figure 1, Column 1 lines 56 – 64, Column 2 lines 13 – 31, the data stream modulates the carrier such that there are two distinct carrier frequencies), the amplifier circuit generating an output signal (Figure 1, Column 2 lines 13 – 17, Column 2 lines 29 – 31, the output signal is transmitted to the antenna).

Coash and Anderson both teach a transmitter comprising an oscillator circuit and a SAW resonator thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the amplifier taught in Anderson in the transmitter of Coash for the purposes of performing multiple tasks of stable oscillator switching and amplification sufficient to drive the antenna to a readily detectable output level.

Regarding Claim 2, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 1. Anderson further teaches an antenna coupled to the amplifier circuit to transmit the output signal (Figure 1, Column 2 lines 13 – 17, Column 2 lines 29 - 31).

Regarding Claim 3, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 1. Coash further teaches control logic configured to generate the data signal (Figure 4, Column 6 lines 9 – 11, signal processor is the control logic).

Regarding Claim 4, Coash teaches all of the claimed limitations recited in Claim 3. Coash further teaches control logic comprising a microprocessor (Column 6 lines 9 – 11, the signal processor is a more robust microprocessor).

Regarding Claim 5, Coash teaches all of the claimed limitations recited in Claim 3. Coash further teaches an assertable switch connected to the control logic, wherein the control logic is configured such that assertion of the switch causes the control logic to generate the data signal (Figure 4, Column 6 lines 8 – 11).

Regarding Claim 6, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 1. Coash further teaches a bipolar junction transistor (Figure 1, Column 2 lines 37 – 42).

Regarding Claim 7, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 1. Anderson further teaches a bipolar junction transistor (Figure 2, Column 2 lines 48 – 50).

Regarding Claim 8, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 1. Anderson further teaches wherein the carrier signal has a frequency of at least 300 MHz (Column 3 lines 26 – 29).

Regarding Claim 9, Coash teaches an article of manufacture comprising: a housing (Figure 4, Column 6 lines 1 – 3, the sending unit is the housing); at least one circuit board (Figure 2, Column 3 lines 30 – 33); an oscillator circuit on the at least one circuit board (Figure 2, Column 3 lines 30 – 33), the oscillator circuit including a surface acoustic wave (SAW) resonator (Figure 1, Column 2 lines 37 – 42), the oscillator circuit generating a carrier signal (Column 5 lines 10 – 26, the modulated frequency is the carrier frequency); and a carrier signal modulated with the data signal (Column 5 lines 10 – 26).

Coash does not specifically teach an amplifier circuit on the at least one circuit board, the amplifier circuit receiving the carrier signal and receiving a data signal, the amplifier circuit generating an output signal.

Anderson teaches an amplifier circuit on the at least one circuit board (Figure 2, Column 2 lines 48 – 55), the amplifier circuit receiving the carrier signal and receiving a

data signal (Figure 1, Column 1 lines 56 – 64, Column 2 lines 13 – 31, the data stream modulates the carrier such that there are two distinct carrier frequencies), the amplifier circuit generating an output signal (Figure 1, Column 2 lines 13 – 17, Column 2 lines 29 – 31, the output signal is transmitted to the antenna).

Coash and Anderson both teach a transmitter comprising an oscillator circuit and a SAW resonator thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the amplifier taught in Anderson in the transmitter of Coash for the purposes of performing multiple tasks of stable oscillator switching and amplification sufficient to drive the antenna to a readily detectable output level.

Regarding Claim 10, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 9. Anderson further teaches an antenna coupled to the amplifier circuit to transmit the output signal (Figure 1, Column 2 lines 13 – 17, Column 2 lines 29 - 31).

Regarding Claim 11, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 9. Coash further teaches control logic configured to generate the data signal (Figure 4, Column 6 lines 9 – 11, signal processor is the control logic).

Regarding Claim 12, Coash teaches all of the claimed limitations recited in Claim 11. Coash further teaches control logic comprising a microprocessor (Column 6 lines 9 – 11, the signal processor is a more robust microprocessor).

Regarding Claim 13, Coash teaches all of the claimed limitations recited in Claim 11. Coash further teaches an assertable switch connected to the control logic, wherein the control logic is configured such that assertion of the switch causes the control logic to generate the data signal (Figure 4, Column 6 lines 8 – 11).

Regarding Claim 14, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 9. Coash further teaches a bipolar junction transistor (Figure 1, Column 2 lines 37 – 42).

Regarding Claim 15, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 9. Anderson further teaches a bipolar junction transistor (Figure 2, Column 2 lines 48 – 50).

Regarding Claim 16, Coash in view of Anderson teaches all of the claimed limitations recited in Claim 9. Anderson further teaches wherein the carrier signal has a frequency of at least 300 MHz (Column 3 lines 26 – 29).

Regarding Claim 17, Coash teaches a method of transmitting comprising: generating a carrier signal with an oscillator circuit including a surface acoustic wave (SAW) resonator (Figure 1, Column 2 lines 37 – 42, Column 5 lines 10 – 26, the modulated frequency is the carrier frequency); generating a data signal (Figure 4, Column 6 lines 9 – 11); and a carrier signal modulated with the data signal (Column 5 lines 10 – 26).

Coash does not specifically teach generating an output signal with an amplifier circuit receiving the carrier signal and receiving the data signal; and transmitting the output signal.

Anderson teaches generating an output signal with an amplifier circuit receiving the carrier signal and receiving the data signal (Figure 1, Column 1 lines 56 – 64, Column 2 lines 13 – 31, the data stream modulates the carrier such that there are two distinct carrier frequencies); and transmitting the output signal (Figure 1, Column 2 lines 13 – 17, Column 2 lines 29 – 31).

Coash and Anderson both teach a transmitter comprising an oscillator circuit and a SAW resonator thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the amplifier taught in Anderson in the transmitter of Coash for the purposes of performing multiple tasks of stable oscillator switching and amplification sufficient to drive the antenna to a readily detectable output level.

Conclusion

3. Any inquiry concerning this communication should be directed to Raymond S. Dean at telephone number (703) 305-8998.

If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

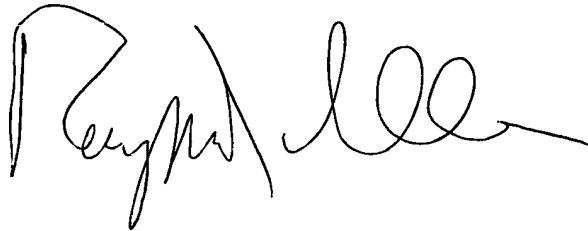
(703) 872-9314 (for Technology center 2600 only)

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Hand – delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

A large, stylized handwritten signature in black ink, appearing to read 'Nay Maung'.

NAY MAUNG
SUPERVISORY PATENT EXAMINER